

# **EXHIBIT “K”**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND  
COMPOUNDING PHARMACY,  
INC. PRODUCTS LIABILITY      MDL No. 2419  
LITIGATION

Master Dkt:  
1:13-md-02419-RWZ

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THIS DOCUMENT RELATES  
TO:

All Actions

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VIDEOTAPED DEPOSITION OF  
DEBRA SCHAMBERG, R.N.

9:06 a.m.  
February 4, 2015

Suite 1100  
315 Deaderick Street  
Nashville, Tennessee

Blanche J. Dugas, RPR, CCR No. B-2290

1 took our break, I believe you testified that the  
2 primary reasons that you and -- or that St. Thomas  
3 Neurosurgical switched from Clint Pharmaceuticals to  
4 NECC were the shortage that you talked about and the  
5 fact that NECC offered a truly preservative-free  
6 version of MPA.

7 Now I'd like to talk about all the factors.  
8 What were all the factors that influenced St. Thomas  
9 Neurosurgical's decision to start buying from NECC?

10 A. There was a factor of price. Clint  
11 Pharmaceuticals increased their price drastically and  
12 told me they would continue to increase it due to  
13 supply and demand.

14 Q. So as I understand your testimony, before  
15 you decided to start buying from NECC, you knew that  
16 Clint Pharmaceuticals was increasing its price for  
17 generic MPA; is that correct?

18 A. That's correct.

19 Q. And it increased its price by an amount of  
20 \$2.49 a vial; is that true?

21 A. I'm not sure of the exact amount, but it  
22 was a substantial increase.

23 Q. And I think when we look at some documents,  
24 we'll be able to pin that down. But am I correct in  
25 understanding that the day after you learned of Clint

1     Pharmaceuticals' price increase, you placed your first  
2     order with NECC?

3           A.       I don't know for sure. I'd have to look at  
4     the dates. I'm not...

5           Q.       But in any event, was it shortly after you  
6     learned of Clint Pharmaceuticals' price increase that  
7     you placed your first order with NECC?

8           A.       It wasn't mainly on the price increase. It  
9     was they did not -- couldn't guarantee me the supply  
10    that I needed.

11          Q.       The question was: Did you place your first  
12    order with NECC shortly after learning of Clint  
13    Pharmaceuticals' price increase?

14          A.       Yes.

15          Q.       And if Clint Pharmaceuticals had told you  
16    "We're going to increase our price by \$2.49 a vial,  
17    but we'll have enough for you, we'll meet your need,"  
18    what would you have done?

19          A.       I don't know because that wasn't the --  
20    that wasn't the...

21          Q.       All right. So we've talked about shortage,  
22    preservative-free, price. Any other factors that  
23    influenced the decision?

24          A.       Nothing that's coming to mind at the  
25    moment.